

# **EXHIBIT C**

2 of 6 DOCUMENTS



Analysis

As of: Feb 01, 2008

**IN RE METHIONINE ANTITRUST LITIGATION (This Order pertains to all direct action cases)**

**MDL NO. 00-1311 CRB (JCS), Master File No. C99-3491 CRB (JCS), JAMS No. 1100034770**

**UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA**

**2002 U.S. Dist. LEXIS 27122**

**July 10, 2002, Decided  
July 17, 2002, Filed**

**SUBSEQUENT HISTORY:** Class certification denied by *W. Bender Elevator, Inc. v. Rhone-Poulenc S.A. 00-3961 (In re Methionine Antitrust Litig.)*, 2003 U.S. Dist. LEXIS 14828 (N.D. Cal., Aug. 22, 2003)

**PRIOR HISTORY:** *In re Methionine Antitrust Litig.*, 204 F.R.D. 161, 2001 U.S. Dist. LEXIS 18714 (N.D. Cal., 2001)

**DISPOSITION:** Special Master's orders.

**COUNSEL:** [\*1] For A.L. GILBERT, Plaintiff: Bruce L. Simon, Cochett Pitre & Simon, Burlingame, CA. Donald G. Davis, Pomerantz Haudek Block Grossman & Gross LLP, New York, NY.

For FEEDSTUFFS PROCESSING CO., Plaintiff: Steven O. Sidener, Gold Bennett Cera & Sidener LLP, San Francisco, CA.

For AAA EGG FARM, Plaintiff: Guido Saveri, Saveri & Saveri, Inc., San Francisco, CA. Craig C. Corbitt, Zelle Hofmann Voelbel Mason & Gette LLP, San Francisco, CA. Daniel R. Karon, Gallagher Sharp Fulton & Norman, Cleveland, OH.

For JEROME FOODS, INC., Plaintiff: Laura P. Nash, Bernice Conn, Roman M. Silberfeld, Robins Kaplan Miller & Ciresi LLP, Los Angeles, CA. Guido Saveri, Saveri & Saveri, Inc., San Francisco, CA. Robyn E. Anderson, Christopher W. Madel, Anne M. Lockner, K.

Craig Wildfang, Steven E. Uhr, David M. Sullivan, Robbins Kaplan Miller & Ciresi LLP, Minneapolis, MN.

For HOLDEN MILLS COMPANY INC, Plaintiff: Guido Saveri, Saveri & Saveri, Inc., San Francisco, CA. Craig C. Corbitt, Zelle Hofmann Voelbel Mason & Gette LLP, San Francisco, CA.

For CENTRAL CONNECTICUT COOPERATIVE FARMERS ASSOCIATION, Plaintiff: Stanley Grossman, Pomerantz Haudek Block Grossman & Gross LLP, New York, NY. [\*2] Roberta D. Liebenberg, Fine Kaplan & Black, Philadelphia, PA.

For DONALDSON & HASENBEIN INC dba J&R Feed Services Inc, Plaintiff: Roberta D. Liebenberg, Fine Kaplan & Black, Philadelphia, PA. Stephen K. Griffith, Knight & Griffith, Cullman, AL.

For ANIMAL SCIENCE PRODUCTS, Plaintiff: Roberta D. Liebenberg, Fine Kaplan & Black, Philadelphia, PA. Matthew P. Maniscalco, Straus & Boies LLP, Davis, CA.

For WEST BEND ELEVATOR INC., Plaintiff: R. Alexander Saveri, Saveri & Saveri, Inc., San Francisco, CA. Kevin M. Christensen, Bullivant Houser Bailey, San Francisco, CA. Todd R. Seelman, Diel & Seelman PC, Denver, CO. Isaac Diel, Diel & Seelman, Prairie Village, KS. Catherine A. Ritterbusch, Michael J. Cohen, Meissner Tierney Fisher & Nichols S.C., Milwaukee, WI. Vijay K. Toke, Bullivant Houser Bailey PC, San Fran-

cisco, CA. Rex A. Sharp, Gunderson Sharp Trout & Rhein, Prairie Village, KS.

For TYSON FOODS, INC., TYSON CHICKEN, INC., Plaintiffs: James C. Gilliland, Jr., Townsend & Townsend & Crew LLP, San Francisco, CA. John P. Pierce, Christopher Leonardo, Dickstein Shapiro & Morin, Washington, DC. Kenneth L. Adams, J. Tara Holubar, Dickstein Shapiro Morin & Oshinsky, [\*3] Washington, DC. Leslie R. Cohen, Paul R. Taskier, Samuel L. Jefferson, Jr., Charles L. Miller, Jr., James R. Martin, Dickstein Shapiro Morin & Oshinsky LLP, Washington, DC.

For QUARTER M FARMS INC, MURPHY FAMILY FARMS, CENTRAL PLAINS FARMS INC, Plaintiffs: Sharon T. Maier, Ross Dixon & Bell L.P., San Diego, CA.

For PERDUE FARMS INC, Plaintiff: David H. Bamberger, Piper Marbury Rudnick & Wolfe LLP, Washington, DC. Fred D. Heather, Piper Marbury Rudnick & Wolfe LLP, Los Angeles, CA. Michael F. Brockmeyer, Paolo Morante, Piper Marbury Rudnick & Wolfe LLP, Baltimore, MD. Andrew Jay Graham, Kramon and Graham, Baltimore, MD.

For HORMEL FOODS CORPORATION, Plaintiff: K. Craig Wildfang, John P. Morgan, Robins Kaplan Miller & Ciresi LLP, Minneapolis, MN. Geraint D. Powell, James M. Lockhart, Lommen Nelson Cole & Stageberg, P.A., Minneapolis, MN.

For FOSTER POULTRY FARMS, INC., Plaintiff: Edwin H. Wheeler, Howrey Simon Arnold & White LLP, Menlo Park, CA. Carmine R. Zarlenga, Danielle R. Oddo, Howrey Simon Arnold & White LLP, Washington, DC.

For JENNIE-O TURKEY STORE, INC., FORM-A-FEED, INC., LAND O'LAKES, INC., GOLDEN STATE FEEDS, LLC, CENEX HARVEST STATES COOPERATIVES, [\*4] WILLMAR POULTRY FARMS, INC., WILLMAR POULTRY COMPANY, INC. GESSELL FEED, INC., VIKING FEED SERVICE, INC., GOLD'N PLUMP POULTRY, INC., AMERICAN AGCO, INC., Plaintiffs: K. Craig Wildfang, Robins Kaplan Miller & Ciresi LLP, Minneapolis, MN.

For A DELAWARE LIMITED PARTNERSHIP, Plaintiff: Daniel Bartley Rath, Klett, Rooney, Lieber & Schorling, Wilmington, DE.

For DCV, INC., a Delaware corporation, Plaintiff: Daniel Bartley Rath, Klett, Rooney, Lieber & Schorling, Wilmington, DE.

For RHONE-POULENC S.A., a French corporation, Defendant: Deborah Herman, Melissa J. Nandi, Jones Day Reavis & Pogue, Cleveland, OH. Peter G. McAllen, Suzanne C. Jones, Jones Day, Los Angeles, CA. John M. Majoras, Jones Day Reavis & Pogue, Washington, DC.

For RHONE-POULENC ANIMAL NUTRITION INC., a Delaware corporation, Defendant: Deborah Herman, Melissa J. Nandi, Bryan Perrero, Michelle K. Fischer, Christopher S. Maynard, Halle I. Butler, Jones Day Reavis & Pogue, Cleveland, OH. Jeffrey A. LeVee, Peter G. McAllen, Suzanne C. Jones, Jones Day, Los Angeles, CA. John M. Majoras, L. Trammell Newton, Jr., Jones Day Reavis & Pogue, Atlanta, GA.

For DEGUSSA-HULS AG, a German corporation, Defendant: [\*5] Tara L. Reinhart, Morgan Lewis & Bockius LLP, Washington, DC.

For DEGUSSA-HULS CORPORATION, an Alabama corporation, Defendant: Peter E. Halle, Tara L. Reinhart, Gregory P. Asciolla, Morgan Lewis & Bockius LLP, Washington, DC.

For NOVUS INTERNATIONAL, INC., a Delaware corporation, Defendant: E. Perry Johnson, John Michael Clear, Jeffrey S. Russell, Jeanne M. Martin, Jeffrey G. Morrison, Ellen E. Bonacorsi, Darci F. Madden, Barbara S. Barrett, Bryan Cave LLP, St. Louis, MO. John Michael Cooper, Bryan Cave LLP, Washington, DC. James L. McGinnis, Sheppard Mullin Richter & Hampton, San Francisco, CA.

For MITSUI & CO., LTD., a Japanese corporation, Defendant: David M. Balabanian, Holly A. House, Joy K. Fuyuno, Bingham McCutchen LLP, San Francisco, CA.

For NIPPON SODA COMPANY, LTD., a Japanese corporation, Defendant: Jeffrey T. Thomas, Gibson Dunn & Crutcher, Irvine, CA.

For AVENTIS ANIMAL NUTRITION SA, Defendant: Melissa J. Nandi, Bryan Perrero, Jones Day Reavis & Pogue, Cleveland, OH. Jeffrey A. LeVee, Peter C. McAllen, Jones Day, Los Angeles, CA. John M. Majoras, Jones Day Reavis & Pogue, Atlanta, GA.

For AVENTIS CROPSCIENCE, INC., Defendant: Jeffrey A. LeVee, [\*6] Peter C. McAllen, Jones Day, Los Angeles, CA. Robert Oliver, Emma Killick, Jones Day Los Angeles, CA.

For MITSUI & CO. (USA), INC., Defendant: Holly A. House, Bingham McCutchen LLP, San Francisco, CA.

For DEGUSSA CORPORATION, Defendant: Peter E. Halle, Tara L. Reinhart, John M. Truong, Gregory F. Wells, Morgan Lewis & Bockius LLP, Washington, DC.

For PHARMACIA CORPORATION, Defendant: Paul Riehle, Matthew A. Fischer, Sedwick Detert Moran & Arnold, San Francisco, CA. E. Perry Johnson, John Michael Clear, Jeffrey S. Russell, Jeanne M. Martin, Jeffrey G. Morrison, Ellen E. Bonacorsi, Darci F. Madden, Barbara S. Barrett, Bryan Cave LLP, St. Louis, MO.

For STATE OF CALIFORNIA JUDICIAL COUNCIL COORDINATION PROCEEDING NOS. 4090 AND 4096, Intervenor-Plaintiff: George R. Corey, Dario de Ghetaldi, Amanda L. Riddle, Corey Luzaich Pliska De Ghetaldi & Nastari LLP, Millbrae, CA. William Bernstein, Michele C. Jackson, Lieff Cabraser Heimann & Bernstein LLP, San Francisco, CA.

For J&R VENTURES, INC., Intervenor-Plaintiff: Robert C. Schubert, Juden Justice Reed, Willem F. Jonckheer, Schubert & Reed LLP, San Francisco, CA. Michael D. Gottsch, Chimicles & Tikellis LLP, Haverford, [\*7] PA.

**JUDGES:** Hon. Charles Legge (Ret.), Special Master.

**OPINION BY:** Charles Legge

**OPINION**

**ORDER REGARDING DECISIONS OF SPECIAL MASTER**

**CONCERNING LONDON DEPOSITIONS**

The purpose of this order is to record, for filing with the Court and on Verilaw, the decisions made by the Special Master in telephone conferences with plaintiffs' counsel and defendants' counsel regarding the recent series of depositions in London, England:

1. On June 21, 2002 the Special Master ruled that defendants could not instruct their witnesses not to answer, on the grounds of relevance of the subject matter, questions regarding the alleged conspiracy in the Vitamins Anti-Trust litigation.

2. On June 21, 2002, the Special Master ruled that plaintiffs' counsel were bound by the time limitations which had been previously agreed upon for the taking of the depositions of witnesses in London, unless the parties stipulate to a different division of time.

3. On July 4, 2002, the Special Master ruled that the deposition of Mr. Rose would be taken in London on July 10, 2002. The parties are entitled to only one deposition of Mr. Rose, and the notice of his deposition for August 30, 2002 was quashed.

**IT IS SO ORDERED.**

[\*8] Dated: July 10, 2002

Hon. Charles Legge (Ret.)

Special Master